



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/982,888 | 10/22/2001 | Gunnar Flentje | | 7529 |
| 7590 | 11/26/2003 | | EXAMINER | |
| Gunnar Flentje 1223 Wilshire Blvd #316 Los Angeles, CA 90403 | | | JACOBSON, TONY M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2644 | S |
| DATE MAILED: 11/26/2003 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/982,888 | FLENTJE, GUNNAR | |
| | Examiner | Art Unit | |
| | Tony M. Jacobson | 2644 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 October 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 October 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the grooves of the metal fittings with rectangular locknuts sliding therein of claims 8 and 17 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The abstract of the disclosure is objected to because it exceeds 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by McDonald (US 2,109,431).

5. Regarding claim 1, McDonald discloses in Figs. 1-4, a loudspeaker enclosure (31), including means (the base of the apparatus) to transmit structure-borne sound to a support surface, further including means (30) for altering the listening axis from the loudspeaker to the listener for optimum directional sound quality, said loudspeaker enclosure comprising: bottom wall means (45) comprising means (43, 44, 46, and 47) to transfer structure-borne vibrational energy from said enclosure to said support surface; front wall means which define, together with said bottom wall means and a plurality of walls, an enclosure; said front wall means including an adjustable baffle board (30) with at least one opening (inherently) for mounting a loudspeaker transducer (35), said adjustable baffle board having an infinite plurality of angular positions relative to said bottom wall means or relative to one wall of said plurality of walls (column 1, lines 13-17), and said adjustable baffle board defining in an initial position a vertical plane relative to said bottom wall means and relative to said one wall (Figs. 2 and 3),

Art Unit: 2644

pivot means (shown in Fig. 2) supporting said adjustable baffle board for a predetermined range of swivel movement relative to said vertical plane through predetermined angles about a predetermined axis located within or at predetermined distance rearwardly from said vertical plane (Fig. 2, column 1, lines 13-17), and means (42) for locking said adjustable baffle board in an infinite plurality of fixed angular positions relative to said vertical plane within said predetermined range of swivel movement (column 2, lines 2-7), whereby the orientation of the baffle board can be adjusted to change the listening axis of the loudspeaker without cutting off the transmission of structure-borne sound from the cabinet to the support surface.

6. Regarding claim 2, Fig. 4 of McDonald discloses bottom wall means (45) defining a parallel plane relative to the support surface, thereby providing a contact surface to transfer said structure-borne vibrational energy from the enclosure to the support surface.

7. Regarding claim 3, Fig. 4 of McDonald further discloses that the bottom wall means (45) includes a plurality of support members (43, 44, 46, and 47), said support members defining a plurality of contact members to transfer said structure-borne vibrational energy from the enclosure to the support surface.

8. Regarding claim 4, Figs. 1-3 of McDonald shows that two walls of said plurality of walls defining the enclosure or one wall of said plurality of walls (the top wall) and said bottom wall means together define a pair of parallel enclosure walls.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald (US 2,109,431).

11. Regarding claim 10, the limitations of this claim are the same as those of claim 1, with the additional limitations of: "means for housing an electronic circuit for audio amplification, comprising a metal chassis, said metal chassis mounted into the enclosure, supporting audio amplifier control means, said control means being located within or near said vertical plane". As indicated above under the heading Claim Rejections 35 USC § 102, the radio apparatus disclosed by McDonald meets the limitations of claim 1. Since the apparatus of McDonald is a radio that drives a

loudspeaker, it inherently comprises an electronic circuit for audio amplification, and means for housing the amplification circuit. Fig. 1 of McDonald shows control means (knobs) near the top of the front surface of the radio apparatus (located within or near said vertical plane). McDonald does not explicitly disclose that the housing means comprises a metal chassis mounted into the enclosure. Official notice is taken that at the time the present invention was made (as well as the time the invention of McDonald was made) it was notoriously well known in the art to construct electronic circuits of radio receivers and amplifiers on and/or in metal chassis. It would have been obvious to one of ordinary skill in the art at the time the present invention was made to house the electronic audio amplification circuit of the radio apparatus of McDonald in a metal chassis, mounted into the enclosure, and supporting the audio amplifier control means shown in Fig. 1 according to common practice in vintage radio receiver construction.

12. Regarding claim 11, Fig. 4 of McDonald discloses bottom wall means (45) defining a parallel plane relative to the support surface, thereby providing a contact surface to transfer said structure-borne vibrational energy from the enclosure to the support surface.

13. Regarding claim 12, Fig. 4 of McDonald further discloses that the bottom wall means (45) includes a plurality of support members (43, 44, 46, and 47), said support members defining a plurality of contact members to transfer said structure-borne

vibrational energy from the enclosure to the support surface.

14. Regarding claim 13, Fig. 3 of McDonald shows that two walls of said plurality of walls defining the enclosure or one wall of said plurality of walls and said bottom wall means together define a pair of parallel enclosure walls.

15. Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald (US 2,109,431) in view of Fierens (US 4,696,037) and Peavey (US 3,151,699).

16. Regarding claims 5 and 14, McDonald discloses pivot means at the top of side plates 36 and 37 in Figs. 2 and 3. Although McDonald does not explicitly disclose a pair of metal rods, Figs. 2 and 3 fairly suggest either a pair of rods or pins mounted into the sides of the parallel side plates 36 and 37 or a single rod extending all the way through side plates 36 and 37 and frame 32. Also, as the adjustable baffle board 30 of McDonald does not extend all the way between the outer enclosure walls, the rod or rods are apparently mounted into matching cavities in the back of the peripheral portion of the front panel, adjacent the top corners of the adjustable baffle, as suggested by Figs. 2 and 3. Because the position of the adjustable baffle board of McDonald is adjusted by turning knob 42, a handle is not required nor provided on the adjustable baffle board. McDonald does not disclose that the adjustable baffle board comprises a plurality of additional wall members attached vertically thereto, said additional wall

Art Unit: 2644

members being adapted to maintain airtightness of the enclosure when the baffle board is being moved out of its initial position for adjustment, and two of said additional wall members defining a pair of parallel baffle board walls, said parallel baffle board walls sliding adjacent along said pair of parallel enclosure walls during adjustment of said baffle board; nor that the means for locking the adjustable baffle board in an infinite plurality of fixed angular positions comprises a pair of tightening screws, said tightening screws being supportedly mounted in said parallel enclosure walls to put pressure upon said adjacent parallel baffle board walls for locking the baffle board in a predetermined angular position. Fierens (US 4,696,037) disclose in Fig. 4 and describe at column 5, line 62 –column 6, line 13, a loudspeaker having an adjustable baffle board for use in an automobile. Although the loudspeaker of Fierens is primarily described for use in a substantially horizontal orientation as shown in Fig. 4, it would have been obvious to one of ordinary skill in the art at the time the present invention was made to rotate the enclosure for use in a substantially vertical position as suggested by Fig. 5. The enclosure of Fierens placed in such a vertical position contains the essential elements of claim 1, but does not include means for housing an electronic circuit for audio amplification as claimed in claim 10. Fig. 4 fairly suggests an adjustable baffle board comprising a plurality of additional wall members attached vertically thereto, said additional wall members being adapted to maintain airtightness of the enclosure when the baffle board is being moved out of its initial (vertical) position for adjustment, and two of said additional wall members defining a pair of parallel baffle board walls, said parallel baffle board walls sliding adjacent along said pair of parallel enclosure walls

during adjustment of said baffle board. Peavey discloses an adjustable speaker enclosure in which the rear of the cabinet is extendable in use to increase the volume of the enclosure. Means for locking the adjustable portion of the cabinet in a desired position is provided in the form of a pair of tightening screws (64), supported in the top wall (56) of the enclosure to put pressure upon the adjacent top wall (34) of the extension portion for locking the extension portion in a predetermined position. A recessed handle (60) is also provided at the rear of the extension for easy adjustment. Although the locking means of Peavey shown in Figs. 2, 3, and 6 is adapted to engage with a hole in one of plates (62') to hold the extension in one of two predetermined positions, it would have been obvious to one of ordinary skill in the art to place the thumb screws on the side walls of the cabinet instead of the top wall, to modify the locking means to allow an infinite number of positions by eliminating plates (62') and adapting thumb screws (64) to engage with the flat surface of side walls (36) and (38) of the enclosure extension (by making the screw ends blunt); such equivalent means for locking a movable part in one of an infinite number of positions were notoriously well known in the mechanical arts at the time the present invention was made. Also, Official notice is taken that at the time the present invention was made, it was notoriously well known in the mechanical and cabinet-making arts to use metal rods as pivot means to join pivoting components to fixed components. It would have been obvious to one of ordinary skill in the art at the time the present invention was made to make the width of the adjustable baffle board equal to the full width between the side walls of the outer enclosure and to provide a plurality of additional walls attached vertically to the

adjustable baffle board to create an airtight sub-enclosure as taught by Fierens; to use a pair of metal rods as the pivot means as was well known in the art; and to substitute one or two tightening screws on the sides of the enclosure to apply pressure to the parallel baffle board walls for locking the adjustable baffle board in any of an infinite plurality of fixed angular positions, and to provide a handle on the adjustable baffle board according to the teachings of Peavey and common knowledge in the art.

17. Claims 6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald (US 2,109,431) in view of Guy (US 4,757,544) and Brown et al. (US 6,101,261).

18. Regarding claims 6 and 15, the adjustable baffle board 30 of McDonald further comprises a plurality (two) of additional wall members (36 and 37) mounted vertically thereto, said additional wall members in conjunction with the adjustable baffle board defining an open subcabinet having at least a pair of parallel subcabinet walls, said parallel subcabinet walls being (inherently) acoustically coupled to said parallel enclosure walls with contact members (such as elements 38-42, the pivot means, and the sides of the front enclosure wall adjacent adjustable baffle board 30). McDonald does not disclose that the pivot means comprise a pair of bolts mounted into the parallel enclosure walls, supporting the subcabinet nor that the means for locking the adjustable baffle board in an infinite plurality of fixed angular positions comprises a pair of "locknuts" and washers, said locknuts matching said bolts and being mounted thereon

from within the cavity defined by the open subcabinet, whereby the subcabinet can be fixed to the enclosure by tightening the locknuts to the bolts, thereby locking the baffle board in a predetermined angular position. Guy discloses a multi-directional speaker system in which midrange and high-frequency subcabinets are attached to the top of a main low-frequency cabinet with a set of brackets and thumbscrews in such a way that the shafts of the thumbscrews provide pivot means for each of the subcabinets about a respective horizontal pivot axis so that the baffle boards of the subcabinets can be directed in a desired upward or downward direction. Official notice is taken that at the time the present invention was made, a variety of equivalent locking means were well known in the art, including thumbscrews and fixed nuts, or fixed bolts and wing nuts; and that these are usually used in combination with washers. It would have been obvious to one of ordinary skill in the art at the time the present invention was made to substitute any of various types of bolts and nuts and washers as was well known in the art for the pivot means and adjustment mechanism shown in McDonald according to the teachings of Guy, making the width of the subcabinet coincide with the width between the parallel supporting walls, as suggested by Fig. 1 of Guy in order to provide a simpler adjustment mechanism. Brown et al. discloses an open-back loudspeaker enclosure with a variable tilt mechanism comprising a pair of brackets and legs as used on a tom drum, each adjustable by means of a wingnut, to allow the baffle of the speaker enclosure to be positioned at a desired angle with respect to vertical. Brown et al. illustrates in Figs. 3 and 8 and describes at column 2, lines 3-10 that the tilt mechanisms are located on the inner surfaces of the side walls of the enclosure to eliminate the

possibility of damage to the tilt members and to prevent the tilt members from damaging anything outside the enclosure. It would have been obvious to one of ordinary skill in the art at the time the present invention was made to place the pair of locking means (such as wingnuts or locknuts with washers) inside the subcabinet of the speaker enclosure of McDonald, as modified according to the teachings of Guy, providing an open back on the enclosure as further taught by Brown et al., with a corresponding pair of bolts inserted at each side wall of the enclosure from the outside of the enclosure, acting as pivot means for the adjustable baffle board subcabinet, whereby the subcabinet can be fixed to the enclosure via contact members (the parallel walls of the subcabinet and the parallel walls of the enclosure in the speaker enclosure modified according to the teachings of Guy and Brown et al.) by tightening the locknuts to the bolts, thereby locking the baffle board in a predetermined angular position in order to provide an adjustment and locking means that is less visually and physically obtrusive and less prone to causing damage to surrounding items.

19. Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald (US 2,109,431) in view of Guy (US 4,757,544).

20. Regarding claims 7 and 16, the adjustable baffle board 30 of McDonald further comprises a plurality (two) of additional wall members (36 and 37) mounted vertically thereto, said additional wall members in conjunction with the adjustable baffle board defining an open subcabinet having at least a pair of parallel subcabinet walls, said

parallel subcabinet walls being (inherently) acoustically coupled to said parallel enclosure walls with contact members (such as elements 38-42, the pivot means, and the sides of the front enclosure wall adjacent adjustable baffle board 30). McDonald does not disclose that the pivot means comprise a pair of bolts mounted into the parallel enclosure walls, supporting the subcabinet nor that the means for locking the adjustable baffle board in an infinite plurality of fixed angular positions comprises a pair of "locknuts" matching said bolts and being mounted in the subcabinet walls in fixed positions, whereby the baffle board can be locked in a predetermined angular position by tightening the supportedly mounted bolts within the enclosure walls to the fixed nuts within the subcabinet walls. Guy discloses a multi-directional speaker system in which midrange and high-frequency subcabinets are attached to the top of a main low-frequency cabinet with a set of brackets and thumbscrews in such a way that the shafts of the thumbscrews provide pivot means for each of the subcabinets about a respective horizontal pivot axis so that the baffle boards of the subcabinets can be directed in a desired upward or downward direction. Official notice is taken that at the time the present invention was made, a variety of equivalent locking means were well known in the art, including thumbscrews and fixed nuts (such as T-nuts), fixed bolts (such as carriage bolts) and wing nuts, or conventional nuts and bolts. It would have been obvious to one of ordinary skill in the art at the time the present invention was made to substitute any of various types of bolts and nuts (such as a conventional bolt and a fixed nut) as was well known in the art for the pivot means and adjustment mechanism shown in McDonald according to the teachings of Guy, making the width of the subcabinet

coincide with the width between the parallel enclosure walls, as suggested by Fig. 1 of Guy, whereby the baffle board can be locked in a predetermined angular position by tightening the supportedly mounted bolts within the enclosure walls to the fixed nuts within the subcabinet walls.

21. Claims 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald (US 2,109,431) in view of Fierens (US 4,696,037), Bucky (US 2,179,840), Judson (US 1,738,172), Quenot (US 3,857,176), and Sheridan (US 2,545,112).

22. Regarding claims 8 and 17, McDonald discloses pivot means at the top of side plates 36 and 37 in Figs. 2 and 3. Although McDonald does not explicitly disclose a pair of metal rods, Figs. 2 and 3 fairly suggest either a pair of rods or pins mounted into the sides of the parallel side plates 36 and 37 or a single rod extending all the way through side plates 36 and 37 and frame 32. Also, as the adjustable baffle board 30 of McDonald does not extend all the way between the outer enclosure walls, the rod or rods are apparently mounted into matching cavities in the back of the peripheral portion of the front panel, adjacent the top corners of the adjustable baffle, as suggested by Figs. 2 and 3. Because the position of the adjustable baffle board of McDonald is adjusted by turning knob 42, a handle is not required nor provided on the adjustable baffle board. McDonald does not disclose a pair of bow-shaped, slotted and grooved metal fittings being vertically attached to the baffle board and sliding parallel along the parallel enclosure walls during adjustment of the baffle board nor a pair of bolts being

mounted in the parallel enclosure walls and corresponding rectangular locknuts sliding within the grooves of the metal fittings, the bolts being attached through the slots in the metal fittings and being fixed to the rectangular locknuts, thereby fixing the metal fittings to the enclosure and locking the baffle board in a predetermined position. Fierens teaches in Fig. 4, a loudspeaker enclosure with an adjustable baffle board in which the baffle board extends all the way between a pair of parallel enclosure walls. Bucky discloses in Figs. 1 and 4, a speaker enclosure having an adjustable baffle board angle in which the baffle angle is adjusted and locked into a desired position by a pair of bolts and nuts sliding in the slots of a pair of arcuate (bow-shaped) fittings (presumably of metal). The arcuate metal fittings of Bucky do not include grooves along their length with rectangular locknuts sliding within said grooves. Judson illustrates in Fig. 8, a radio receiver with a pivoting panel 50 that is locked in an open position by means of a bow-shaped fitting vertically attached to the panel, with a slot along its length, sliding along one of a pair of parallel enclosure walls with a pin (53) providing means for locking the panel in an open position. The arrangement of a rectangular nut or bolt head sliding in a groove with a corresponding bolt extending through a slot at the center of the groove to lock two or more slidingly-engaged elements into a desired relative position was well known in the mechanical arts at the time the present invention was made. One well-known example is the knife with retractable blade disclosed by Quenot in Figs. 1-3. Although the slot and groove of the knife of Quenot is linear rather than arcuate, it was also well known at the time the present invention was made to form such an arrangement with an arcuate slot and groove. Sheridan discloses such an arrangement

in Figs. 1-10, using a bolt with a rectangular head sliding in the groove rather than a rectangular nut. Various combinations of these teachings, such as a rectangular nut sliding in an arcuate groove, would have been obvious to one of ordinary skill in the art at the time the present invention was made. It would have been obvious to one of ordinary skill in the art at the time the present invention was made to modify the speaker enclosure with adjustable baffle board of McDonald according to the teachings of Fierens, Bucky, Judson, Quenot, and Sheridan by widening the adjustable baffle board to extend all the way between the parallel walls of the enclosure according to the teachings of Fierens, replacing the adjustment mechanism of McDonald with a pair (or one) of bow-shaped metal fittings having slots and grooves along their length attached to the baffle board sliding along the parallel enclosure walls and having rectangular locknuts sliding within the grooves of the metal fittings and a pair of bolts being mounted in the parallel enclosure walls and attached to the rectangular locknuts through the slots of the metal fittings, thereby fixing the metal fittings to the enclosure and locking the baffle board in a predetermined angular position in order to provide a simpler means for adjusting and locking the baffle board in a desired position. With the enclosure thus modified, it would have further been obvious to one of ordinary skill in the art to provide some sort of handle on the adjustable baffle board to allow easy adjustment.

23. Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald (US 2,109,431) in view of Fierens (US 4,696,037), Bucky (US 2,179,840), Judson (US 1,738,172), Quenot (US 3,857,176), and Sheridan (US 2,545,112) as applied to claims 8 and 17 above, and further in view of Wolff et al. (US 1,866,831).

24. Regarding claims 9 and 18, the speaker enclosure of McDonald, modified as described above with regard to claims 8 and 17 does not include the adjustable baffle board having one edge opposite to its supporting axis sliding along an arched plain within the enclosure during adjustment of the adjustable baffle board, said arched plain being mounted in the top part of said enclosure to maintain air-tightness of the enclosure when the adjustable baffle board is moved out of its initial position. Wolff et al. disclose in Figs. 8-10, a speaker system in which an adjustable baffle board is rotated about a vertical axis and an edge of the adjustable slides along an arched plane within an enclosure during adjustment of the adjustable baffle board, said arched plane inherently maintaining air-tightness of the enclosure (see column 4, lines 95-120) when the adjustable baffle board is moved out of its initial position to prevent the sound waves generated at the back of the speaker from destructively interfering with those generated at the front. It would have been obvious to one of ordinary skill in the art at the time the present invention was made to apply the teachings of Wolff et al. to the speaker enclosure of McDonald with its horizontal pivot axis in order to maintain the speaker in a substantially sealed state to prevent waves from the back of the speaker from destructively interfering with the desired waves from the front of the speaker.

Conclusion

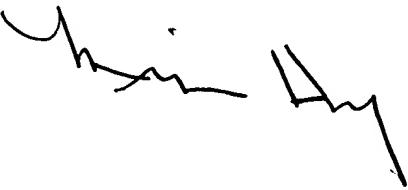
25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Koroncai et al. (US 2,073,747), Sasaki (US 3,754,618), and Brown (US 2,058,407) disclose various speaker enclosures with adjustable baffle boards. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony M. Jacobson whose telephone number is (703) 305-5532. The examiner can normally be reached on Mon. -Fri. 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

tmj
November 19, 2003


MINSUN OH HARVEY
PRIMARY EXAMINER